

Amendment Under 37 C.F.R. § 1.111  
USSN 10/773,309  
Attorney Docket Q79720  
October 27, 2004

### REMARKS

Claims 1-7 are all the claims pending in the application.

The specification has been amended on page 5, lines 30 to change the word "engine" to --pump-- to be consistent with previous terminology.

In the last Office Action Claims 1-5 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kubler (3,976,963). Claims 1-5 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Levins (3,200,645). Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubler in view of Guerrinni et al. (4,702,107) and Claim 6 was further rejected under 35 U.S.C. § 103(a) as being unpatentable over Levins in view of Guerrinni et al.

Claim 1 has been amended to more specifically define the present invention. Claim 2 which is dependent from Claim 1 has been amended to provide consistent terminology. Reconsideration and allowance of the application are respectfully requested in view of the following remarks.

In the specification at page 7, lines 16-28 it is specifically stated that the preferred embodiment has reed relays 36 which are distributed with a different pitch in different portions of the length of the supporting column 33. More specifically in the end portions indicated by A and C in Figure 2, the reed relays are arranged with a relatively small pitch, that is closer together than in the intermediate portion of the column designated by B wherein the reed relays are provided with a larger pitch or greater spacing. As a result of this, it is possible to obtain a

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finer measurement when the liquid in the tank is reaching a minimum threshold value or when the level is reaching a maximum value during refueling of the vehicle. None of the references relied upon in the last Office Action disclose or even suggest such a spacing of the reed relays to achieve this desirable result. Therefore, it is submitted that Claim 1 as well as Claims 2-7 inclusive which are dependent therefrom are clearly patentable over the prior art and it is respectfully requested that these claims be allowed and the application passed to issue forthwith.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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**23373**

CUSTOMER NUMBER

Date: October 27, 2004